

CITY OF NEWPORT DOCKET OF THE COUNCIL

The following items of business, filed with the City Clerk under the Rules of the Council, will come before the Council at its regular meeting to be held on **April 13, 2011, at 6:30 p.m.**

PLEDGE OF A LLEGIANCE TO THE FLAG

PROCLAMATION DECLARING APRIL AS “FAIR HOUSING MONTH”

PROCLAMATION DECLARING APRIL 22-30, 2011, AS “NEWPORT ARBORETUM WEEK”

CITIZEN’S FORUM: (Speakers must sign in with the City Clerk). The Citizen’s Forum period shall be no longer than fifteen minutes and citizens may address the Council on **one subject only and for no longer than three minutes**. Issues to be discussed shall not include matters to be considered or discussed as part of the regular council agenda and must be related to substantive city business. No comments regarding personnel or job performance are allowed.

1. **CONSENT CALENDAR.** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
 - a. Minutes of the March 23, 2011, Council Meeting (Approve)
 - b. Special Event License:

It is the practice of the Council to meet at 6:20 p.m. in the second-floor Conference Room to discuss docket items. The public is invited to attend. The docket, along with all supporting documents, can be viewed on the City of Newport website: www.cityofnewport.com – “Current Newport City News & Announcements” – Click on “MORE NEWS.” Council Meetings can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting will be available t the Newport Public Library within 48 hours of the meeting.

LIVE VIDEO CONFERENCING OF COUNCIL MEETINGS AND WORKSHOPS WILL BE AVAILABLE AT THE NEWPORT POLICE STATION, WHICH IS ACCESSIBLE AND MEETS ADA REQUIREMENTS, **BASED UPON NOTIFICATION TO THE CITY MANAGER’S OFFICE (845-5429) A MINIMUM OF 48 HOURS IN ADVANCE OF THE MEETING.** INDIVIDUALS REQUIRING INTERPRETER OR OTHER ACCOMMODATIONS MUST NOTIFY THE CITY MANAGER’S OFFICE TWO WEEKS IN ADVANCE OF THE MEETING.

DOCKET OF THE COUNCIL

April 13, 2011

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- 1) Looking Upwards, Inc., d/b/a Grand Opening/Downtown Design; 7 Marcus Wheatland Blvd. (Broadway entrance), April 15, 2011, from 4:00 p.m. to 6:00 p.m.
- 2) Newport Rugby Football Club, d/b/a NERFU Championship; Fort Adams State park, May 14 - 15, 2011, from 8:00 a. m. to 8:00 p.m.
- 3) New Wave Media, Inc., d/b/a OceanTech Expo; Newport Yachting Center, May 17 - 19, 2011, from 9:30 a.m. to 5:00 p.m.
- 4) RI Bicycle Coalition, d/b/a Bike to Work Day—Newport; May 20, 2011; gathering from 6:00 a.m. to 10:00 a.m. at Quaker Meeting House; and Fair and Bike Parade in King Park from 5:00 p.m. to 7:30 p.m.
- 5) CROP Walk/Church World Service, d/b/a Aquidneck Island CROP Walk Against Hunger Walkathon; May 21, 2011, from 9:00 a.m. to 12 Noon, beginning and ending at the Martin Luther King Center, 20 Dr. Marcus F. Wheatland Blvd. (route included on application)
- 6) John J. Hosch Memorial Trust, d/b/a 2011 John J. Hosch Tennis Challenge; Rogers High School and Pop Flack Tennis Courts, May 27, from 5:00 to 7:00 p.m.; May 28 & 30, from 9:00a.m. to 11:30 a.m.; May 29, from 12:00 p.m. to 3:00 p.m.
- 7) International Yacht Restoration School, d/b/a IYRS Graduation & Launch Day; IYRS, 449 Thames St., June 4, 2011, from 9:00 a.m. to 5:00 p.m.
- 8) Friends of Ballard Park, d/b/a Fundraiser for Friends of Ballard Park; 11 Berkeley Ave., June 4, 2011, from 6:00 p.m. to 9:00 p.m.
- 9) Lifespan, d/b/a Newport Hospital Summer Benefit; Newport Art Museum, 76 Bellevue Ave., July 7, 2011, from 6:00 p.m. to 10:00 p.m.
- 10) International Yacht Restoration School, d/b/a Summer Gala; IYRS, 449 Thames St., July 9, 2011, from 6:00 p.m. to Midnight.

- 11) Newport Rugby Football Club, d/b/a Newport 7's Rugby Tournament; Fort Adams State Park, July 23, 2011, from 8:00 a.m. to 8:00 p.m.
- 12) 360 Marketing & Events, LLC, d/b/a Newport Wine Fest/Wine & Food Show; Newport Yachting Center, August 19, 2011, from 7:30 p.m. to 10:30 p.m.; August 20, 2011, from 1:00 p.m. to 11:00 p.m., and August 21, 2011, from 9:30 a.m. to 5:00 p.m.
- 13) The Single Ladies Café, d/b/a Fashion Show/Launching Celebration; King Park Gazebo, August 27, 2011, from 1:00 p.m. to 5:00 p.m.
- 14) Museum of Yachting, d/b/a Moy Classic Yacht Regatta; IYRS, 449 Thames St., Sept. 2, 2011, from 5:00 p.m. to 8:00 p.m.; Sept. 3 and 4, 2011, from 8:00 a.m. to 10:00 p.m.
- 15) Museum of Yachting, d/b/a Moy Classic Yacht Regatta; Fort Adams State Park, Sept. 2, 2011, from 5:00 p.m. to 8:00 p.m.; Sept. 3 and 4, 2011, from 8:00 a.m. to 10:00 p.m.
- 16) Newport County Community Mental Health Center, d/b/a Bike-A-Thon; Sept. 18, 2011, from 8:00 a.m. to 2:00 p.m. (beginning and ending at Rogers High School; route attached)
- 17) Eident Sports Marketing, d/b/a AMICA 5K (to benefit James L. Maher Center); October 15, 2011, from 6:00 a.m. to 9:00 a.m. (Ocean Drive area, route attached)
- 18) Eident Sports Marketing, d/b/a AMICA Marathon (running event); October 16, 2011, from 6:00 a.m. to 2:00 p.m. (starting and finishing at Easton's Beach; Bellevue Ave. /Ocean Drive/Memorial Blvd. area to Middletown and back; route attached)
- 19) Eident Sports Marketing, d/b/a Newport Pell Bridge Run; November 13, 2011, from 6:00 a.m. to 10:00 a.m. (starting at Potter's Cove in Jamestown and ending corner of Marlborough and Thames Streets (route attached)

- 20) The Preservation Society of Newport County:
 - a) Newport Flower Show; Rosecliff, Bellevue Ave., June 24 - 26, 2011, from 9:00 a.m. to 5:00 p.m.
 - b) Annual Summer Ball; The Elms, Bellevue Ave., August 6, 2011, from 7:00 p.m. to 12:00 Midnight.
 - c) The Newport Mansions Wine & Food Festival; Rosecliff, Sept. 23, 2011, from 6:00 p.m. to 11:00 p.m.; Marble House, Sept. 24, 2011, from 12 Noon to 4:00 p.m.
- c. Annual Catering License, Tom McGrath Clambakes, 64 Halsey St.
- d. Food Concession License:
 - 1) Newport Rugby Football Club, d/b/a NERFU Championship, Fort Adams State Park, May 14 -15, 2011, from 8:00 a.m. to 8:00 p.m.
 - 2) Newport Rugby Football Club, d/b/a Newport 7's Tournament; Fort Adams State Park, July 23, 2011, from 8:00 a.m. to 8:00 p.m.
- e. Holiday Selling License, New:
 - 1) Giovanni Bonomo, LLC, d/b/a Via del Gusto, 207 Goddard Row
 - 2) Newport Yoga, LLC, d/b/a Newport Power Yoga, 112 William St.
 - 3) Virgin and Aged, Inc., d/b/a Virgin & Aged, 395 Thames St.
 - 4) Donnell Cole, d/b/a Bk. Store, 318 Broadway
- f. Holiday Selling License, Renewal:
 - 1) Abdul-Qudoos Khan, d/b/a K&K Food Mart, 10 Connell Highway
 - 2) Arkwear, Inc., d/b/a Bite Me Live Bait Co., 337 Thames St.
 - 3) Ash Mart, Inc., d/b/a Ash Mart, 2 Carroll Ave.
 - 4) Beauty Walk, LLC, d/b/a Bellevue Beauty Walk, 1 Bannister's Wharf (new location)
 - 5) Blue Rocks Catering, LLC, d/b/a Blue Rocks Market, 7 Carroll Ave.
 - 6) Chace N'Lulu, LLC, d/b/a Chace n'Lulu, 57 America's Cup Ave.
 - 7) Chatree Sachayansrisakul, d/b/a Diva, 433 Thames St.
 - 8) Evansco, Inc., d/b/a Bermuda Bay Clothing, 119 Swinburne Row
 - 9) Evansco, Inc., d/b/a Sail Loft, 18 Bowen's Wharf
 - 10) Gossip, Inc., d/b/a Gossip, 391 Thames St.

- 11) J. Crew Group, Inc., d/b/ a J. Crew Retail, 49 Long Wharf Mall
 - 12) Kashif Siddiqui, d/b/a 7-Eleven, 95 Broadway
 - 13) Muhamad Tariq Rashid, d/b/a 7-Eleven, 135 Connell Highway
 - 14) Newport Art Museum & Art Assoc., Inc., d/b/a Griffon Shop, 76 Bellevue Ave.
 - 15) Newport Outfitters, Inc., d/b/a Ten Speed Spokes, 18 Elm St.
 - 16) Potter & Co., Inc., d/b/a Potter & Co., 172 Thames St.
- g. Pedicab Operator License, James Underwood, Jr., 10 Record St.
- h. Private Detective License, Renewal, Ryan P. McCormack, 61 East Bowery St.
- i. Sidewalk Café, Renewals (with liquor):
- 1) BKA Industries, Inc., d/b/a Scales & Shells, 527 Thames St.
 - 2) Fastnet, Inc., d/b/a The Fastnet, 1-3 Broadway
 - 3) MBK, LLC, d/b/a Pour Judgement, 32 Broadway
 - 4) Memorial Blvd. Associates, Inc., d/b/a Jimmy's Saloon, 37 Memorial Blvd.
 - 5) NWPT, Inc., d/b/a One Eighty, 8-10 Broadway
 - 6) Restaurant Bouchard, Inc., d/b/a Restaurant Bouchard, 505 Thames St.
 - 7) Tucker's Bistro, Inc., d/b/a Tucker's Bistro, 150-154 Broadway
- j. Sidewalk Café, Renewals (without liquor):
- 1) Fitzsimoes, LLC, d/b/a Corner Café, 110 Broadway
 - 2) Monkey Business, LLC, d/b/a The Hungry Monkey, 124 Broadway
 - 3) Newport Bubble Tea, LLC, d/b/a Empire Tea & Coffee, 22 Broadway
 - 4) JNR, LLC, d/b/a Jonathan's Ocean Coffee Roasters, 22 Washington Square
 - 5) Pereira Pizza, Inc., d/b/a Ronzio Pizza, 88 Broadway
- k. Communication from Corey A. Huck, Chairman, Aquidneck Island National Police Parade, asking permission to hang a banner promoting the Annual Police Parade on the fence of Equality Park, April 15 to May 2, 2011. (Approve subject to details being worked out with city administration.)

- l. Communication from Marilyn Warren, Exec. Director, Dr. Martin Luther King Center, requesting permission for exclusive use of the Edward St. Tot Lot and Basketball Court and to close Edward St. on May 14, 2011, from 10:00 a.m. to 5:00 p.m. for the “Be a Buddy, Not a Bully” event. (Approve subject to details being worked out with the city administration)
- m. Notification from Mark L. Stenning, CEO, International Tennis Hall of Fame, of closure of the fire lane along Hayden Court, between Memorial Blvd. and Freebody St., July 2 through July 10, 2011, for the Campbell’s Hall of Fame Tennis Tournament. (Receive)
- n. Resignation of Sandra Flowers, PhD., from the Hospitality Commission (Receive with regret)
- o. Communication from Hank Kniskern, Chair, Waterfront Commission, in support of a Working Advisory Group for Design/Build Construction of the Maritime Center (Armory Basement) Project. (Receive)
- p. Recommended FY2011-2012 Operating Budget (Receive and order advertised for hearing on May 11, 2011)

LICENSES AND PERMITS

2. Sidewalk Café License, New, Ben’s Chili Dogs, LLC, d/b/a Ben’s Chili Dogs, 158 Broadway
3. Sidewalk Café License, New, la maison de coco, LLC, d/b/a la maison de coco, 28 Bellevue Ave.
4. Victualing License, New, RySav, Inc., d/b/a Subway, 359 Thames St.
5. Victualing License, New, HB Holdings, LLC, d/b/a Thames St. Kitchen, 677 Thames St.
6. Victualing License, New, Bill’s Grill on Thames, Inc., d/b/a Bill’s Grill on Thames, 162 Thames St. (Outdoor lot next to Kilwin’s Chocolates)

7. Pedi-cab (Business) License, Renewal, Andrew Croan, d/b/a Pedi-Power Pedi-cabs, Wellington Plaza.

- Communication from Michael Eudenbach, 21 Lee Ave. transmitting petitions of Lee Avenue and Byrnes St. residents requesting relocation of the Pedi-cab Headquarters from Wellington Plaza.

COMMUNICATIONS & PETITIONS

8. Communication from Turner C. Scott, Esq., on behalf of Verbena, LLC, 155 Ocean Ave., re: Installation of Buried Utility Lines Along Shoulder (of Ocean Ave.) to Replace Existing Overhead Lines between Gooseberry Beach and Carroll Ave. (Continued from March 23, 2011)
9. Communication from John H. Ambrogi, Ed.D., Superintendent of Schools, re: Newport Area Career and Technical Center Building Acquisition Request.

10. APPOINTMENTS TO BOARDS AND COMMISSIONS

Historic District Commission:

- Reappointment of John Shehan
- Appointment of Alternate Michael Conroy as full member
- Appointment of Alternate Members (2) – Applicants: Lauren H. Carson, Chris Fagan, Lewis John, Kristine Royal

Aquidneck Island Planning Commission (two members; one alternate) – Appointment of Planning Board Members Richard Carrubba and Tanya Kelly as voting members, and Mary Moniz as alternate)

- Communication from Richard Carrubba, Chairman, Newport Planning Board, in support of the appointments.

RESOLUTIONS

11. Establishing the Harbor Center Working Group – N. Neville, S. Waluk, H. Winthrop, J. Napolitano

12. Workshop to discuss Bicycle Safety and Safe Routes – N. Neville, K. Leonard, J. Napolitano
13. Recognizing May 20, 2011, as “Bike To Work Day” – C. Duncan, K. Leonard
14. Opposing House Bill 5961 Relating to Labor and Labor Relations—School Employee Arbitration – J. Napolitano, J. McLaughlin
15. Supporting the efforts of the Japan-America Society (through the US Red Cross) and “Hope from the Havoc” to bring relief to the victims of Japan’s recent earthquake and tsunami – J. Napolitano, N. Neville

ORDINANCES

16. Amending Ordinance No. 10-29 Appropriating Revenues for the Fiscal Year July 1, 2010, through June 30, 2011. (Second Reading; continued from 2/9/2011)
17. Amending Chapter 2.56 of the Codified Ordinances, entitled, “Boards and Commissions,” Section 2.56.010, “General Provisions.” (First Reading)
18. Amending Chapter 12.36 of the Codified Ordinances, entitled, “Newport Tree and Open Space Preservation and Protection”; Section 12.36.050, “Newport Tree and Open Space Commission.” (First Reading)

COMMUNICATIONS FROM THE CITY MANAGER

19. Communication #4822/11, re: Farmer’s Market – State Lease Extension (with accompanying resolution)
20. Communication #4823/11, re: Farmer’s Market – Aquidneck Growers’ Market Lease Agreement Extension (with accompanying resolution)
21. Communication #4824/11, re: Bid Award for Waste Line Repair—Fire Department Headquarters (with accompanying resolution)

22. Communication #4825/11, re: Bid Award for Source Water Monitoring Program of Public Water Drinking Supplies (with accompanying resolution)
23. Communication #4826/11, re: Application to the RI Public Utilities Commission for a Water Rate Increase in FY12 (with accompanying resolution)
24. Communication #4827/11, re: RI Department of Environmental Management RI Clean Diesel Grant Program Agreement #2 (with accompanying resolution)
25. Communication #4828/11, re: Bid Award for Tennis Court Improvements (with accompanying resolution)
26. Communication #4829/11, re: Bid Award for Roadway Crack Sealing (with accompanying resolution)
27. Communication #4830/11, re: Bid Award for Retroreflective Traffic Sign Upgrades (with accompanying resolution)
28. Communication #4831/11, re: Bid Award for 2011 Roadway Improvement Program (with accompanying resolution)
29. Communication #4832/11, re: Bid Award for Historic Paving Program – Washington Square Phase 3 (with accompanying resolution)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

1. **CONSENT CALENDAR** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
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 - c) Wine & Food Festival, Rosecliff, Sept. 23, 2011; Marble House, Sept. 24, 2011.
 - b. Communication from Carter, LLC, 250 Thames St., re: Change in "d/b/a" from Porterhouse to The Speakeasy Bar and Grill. (Receive and make part of the licensee's record)

LICENSES AND PERMITS

2. Application of JACE Enterprises, Inc., d/b/a Andrews Liquors, 493 Broadway, to transfer its Class A Alcoholic Beverage License to 295-297 J. J. Connell Memorial Road. (Hearing)

Kathleen M. Silvia
City Clerk

April 6, 2011